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BOOK NOTICES.

Indirect and Collateral Evidence. By John H. Gillett, Judge Thirty-First Judicial Circuit of Indiana. Sheep, pages xlvi., 407. Bowen-Merrill Co., Indianapolis and Kansas City. 1897.

Judge Gillett's book is the product of an original research into Evidence, and his independence is shown by the topics which he has emphasized and excluded. Some topics not strictly a part of Evidence such as Presumptions, Judicial Notice and Burden of Proof, are not treated, and also Primary and Secondary Evidence, and evidence in particular actions. On the other hand, nearly a half of the work is given up to collateral evidence and *res gestae*. An attempt is here made to put these subjects, hitherto slightly treated, upon a scientific basis, and the result is most satisfactory. The topic of Declarations is also most thoroughly worked over. The leading cases are discussed, the views of prominent book and magazine writers criticised, and the logic of the subject brought out in a manner most acceptable to the reader.

Bailments, Including Carriers, Innkeepers and Pledge. By James Schouler, LL.D., Professor in the Boston University Law School. Third edition. Law Sheep, pages lxxiv., 782. Little, Brown & Co., Boston. 1897.

To the student, and we can speak from his standpoint with greater confidence, Professor Schouler's works are always welcome. His experience as a teacher gives clearness, and his scholarly tastes lead him to historical researches which aid the student materially in getting what must be at best only a bird's-eye view of the law. From this, however, we would not have it understood that Bailments and Carriers is a discursive treatment of the topic. The work is thorough, and to an agreeable extent philosophical. The subject of Carriers, which is treated under the head of "Exceptional Bailments for Mutual Benefit," occupies a full half of the book. His method of treating this branch of the law is best stated in his own words, "Unless we determine to take no precedent for more than it is worth, to keep fast hold of fundamental bailment principles, and bear constantly in mind that this transportation of movable property to and fro * * * is but a bailment, and that the present idiosyncrasy simply consists in an extraordinary degree of responsibility to which public policy chooses to subject the class of bailees known as Common Carriers, we shall lose our most needful clue." The cases cited—about 1,800 in number—are few as compared with the modern "treatise," but are selected with a view to being instructive, illustra-